

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND**

RICHARD E. MARKS,  
Petitioner,

vs.

CR 11-147-05-ML

UNITED STATES OF AMERICA,  
Respondent.

**ORDER**

Before the Court is a Motion for Release of Documents and Motion for Leave to Proceed in Forma Pauperis (Doc. #159) (“Motion”) filed by Petitioner Richard E. Marks (“Petitioner” or “Marks”). In support of the Motion, Marks states that he is indigent and incarcerated and, thus, has no means with which to pay any filing fees and/or document fees. Motion at 2.

A request to proceed in forma pauperis must be filed in connection with some action. See 28 U.S.C. §§ 753(f); 1915(a)(1), 2250. Marks has no action pending in this Court. Moreover, in forma pauperis status is a prerequisite to the granting of free transcripts, see 28 U.S.C. §§ 753(f), or other documents, see 28 U.S.C. § 2250.

Accordingly, the Motion is DENIED without prejudice to being refiled if and when Marks files an action with this Court.

SO ORDERED:

/s/ Mary M. Lisi  
Mary M. Lisi  
Chief United States District Judge

DATE: November 7, 2012